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JAN 02 2002 Rec'd PCT/PTO

FORM PTO-1390 (REV 10-2000)		U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE		ATTORNEY'S DOCKET NUMBER 8191-PA01	
TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A FILING UNDER 35 U.S.C. 371				U.S. APPLICATION NO. (If known, see 37 CFR 1.5) 09/856,655	
INTERNATIONAL APPLICATION NO. PCT/AU99/01052		INTERNATIONAL FILING DATE 25 November 1999		PRIORITY DATE CLAIMED 25 November 1998	
TITLE OF INVENTION IMMUNOSTIMULATORY DNA					
APPLICANT(S) FOR DO/EO/US Katryn STACEY					

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. ☐ This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371.
2. ☒ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 U.S.C. 371.
3. ☐ This is an express request to promptly begin national examination procedures (35 U.S.C. 371(f)).
4. ☐ The US has been elected by the expiration of 19 months from the priority date (PCT Article 31).
5. ☐ A copy of the International Application as filed (35 U.S.C. 371(c)(2))
 - a. ☐ is attached hereto (required only if not communicated by the International Bureau).
 - b. ☐ has been communicated by the International Bureau.
 - c. ☐ is not required, as the application was filed in the United States Receiving Office (RO/US).
6. ☐ An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)).
7. ☐ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))
 - a. ☐ are attached hereto (required only if not communicated by the International Bureau).
 - b. ☐ have been communicated by the International Bureau.
 - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
 - d. ☐ have not been made and will not be made.
8. ☐ An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).
9. ☒ An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).
10. ☐ An English language translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).

Items 11 to 16 below concern document(s) or information included:

11. ☐ An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
12. ☒ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
13. ☐ A FIRST preliminary amendment.
☐ A SECOND or SUBSEQUENT preliminary amendment.
14. ☐ A substitute specification.
15. ☐ A change of power of attorney and/or address letter.
16. ☒ Other items or information:

Copy of the Notification of Missing Requirements; Statement Under 37 CFR 1.821(f) and (g); Paper Copy of the Sequence Listing; Computer Readable Form [CRF] of the Sequence Listing (3.5 inch diskette); Check in the amount of \$105.00 (\$65.00- fee for late filing of declaration, \$40.00- fee for recordation of Assignment); Return Postcard.

U.S. APPLICATION NO. (if known, see 37 CFR 1.5) 09/856,655		INTERNATIONAL APPLICATION NO. PCT/AU99/01052		ATTORNEY'S DOCKET NUMBER 8191-PA01	
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<p>17. <input type="checkbox"/> The following fees are submitted:</p> <p>BASIC NATIONAL FEE (37 CFR 1.492 (a) (1) - (5)) :</p> <p>Neither international preliminary examination fee (37 CFR 1.482) nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO and International Search Report not prepared by the EPO or JPO \$1000.00</p> <p>International preliminary examination fee (37 CFR 1.482) not paid to USPTO but International Search Report prepared by the EPO or JPO. \$860.00</p> <p>International preliminary examination fee (37 CFR 1.482) not paid to USPTO but international search fee (37 CFR 1.445(a)(2)) paid to USPTO \$710.00</p> <p>International preliminary examination fee paid to USPTO (37 CFR 1.482) but all claims did not satisfy provisions of PCT Article 33(1)-(4) \$690.00</p> <p>International preliminary examination fee paid to USPTO (37 CFR 1.482) and all claims satisfied provisions of PCT Article 33(1)-(4) \$100.00</p> <p style="text-align: right;">ENTER APPROPRIATE BASIC FEE AMOUNT =</p>	<p>CALCULATIONS PTO USE ONLY</p>																				
<p>Surcharge of \$130.00 for furnishing the oath or declaration later than <input type="checkbox"/> 20 <input checked="" type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492(e)).</p>	\$ 130																				
<table border="1" style="width:100%; border-collapse: collapse;"> <tr> <th style="width:20%;">CLAIMS</th> <th style="width:20%;">NUMBER FILED</th> <th style="width:20%;">NUMBER EXTRA</th> <th style="width:20%;">RATE</th> <th style="width:20%;"></th> </tr> <tr> <td>Total claims</td> <td>- 20 =</td> <td></td> <td>X \$18.00</td> <td>\$</td> </tr> <tr> <td>Independent claims</td> <td>- 3 =</td> <td></td> <td>X \$80.00</td> <td>\$</td> </tr> <tr> <td colspan="3">MULTIPLE DEPENDENT CLAIM(S) (if applicable)</td> <td>+ \$270.00</td> <td>\$</td> </tr> </table>	CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE		Total claims	- 20 =		X \$18.00	\$	Independent claims	- 3 =		X \$80.00	\$	MULTIPLE DEPENDENT CLAIM(S) (if applicable)			+ \$270.00	\$	\$ 130
CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE																		
Total claims	- 20 =		X \$18.00	\$																	
Independent claims	- 3 =		X \$80.00	\$																	
MULTIPLE DEPENDENT CLAIM(S) (if applicable)			+ \$270.00	\$																	
TOTAL OF ABOVE CALCULATIONS =		\$ 130																			
<p><input checked="" type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by 1/2.</p>	\$ 65																				
SUBTOTAL =		\$ 65.00																			
<p>Processing fee of \$130.00 for furnishing the English translation later than <input type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492(f)).</p>	\$																				
TOTAL NATIONAL FEE =		\$ 65																			
<p>Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property</p>	\$ 40																				
TOTAL FEES ENCLOSED =		\$ 105																			
<p>01/08/2002 HINGUYEN 00000077 09856655</p> <p>01 FC:254 65.00 DP</p>		<p>Amount to be refunded: \$</p> <p>charged: \$</p>																			

a. ☒ A check in the amount of \$ 105.00 to cover the above fees is enclosed.

b. ☐ Please charge my Deposit Account No. 02-4070 in the amount of \$_____ to cover the above fees. A duplicate copy of this sheet is enclosed.

c. ☒ The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 02-4070. A duplicate copy of this sheet is enclosed.

NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.

<p>SEND ALL CORRESPONDENCE TO:</p> <p>BROWN, MARTIN, HALLER & McCLAIN</p> <p>1660 UNION STREET</p> <p>SAN DIEGO, CALIFORNIA</p> <p>92101-2926</p>	<p style="text-align: center;"></p> <p>SIGNATURE:</p> <p>Colleen J. McKiernan 24 Oct 2001</p> <p>NAME</p> <p style="text-align: center;">48,570</p> <p>REGISTRATION NUMBER</p>
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IN THE UNITED STATES ELECTED OFFICE (EO/US)

International Application No.:

PCT/AU99/01052

International Filing Date:

25 November 1999

Title:

IMMUNOSTIMULATORY DNA

Applicant:

Katryn J. STACEY

U.S. Serial No.:

09/856,655

STATEMENT UNDER 37 C.F.R. § 1.821(f) and (g)

A computer readable sequence listing, as required under C.F.R. § 1.821(e), and a paper copy of the sequence listing, as required under 37 C.F.R. § 1.821(c), are submitted herewith. The undersigned attorney states that, as required under 37 C.F.R. § 1.821(f), the information recorded in computer readable form is identical to the written sequence listing. Additionally, the undersigned agent states that this submission contains no new matter under 37 C.F.R. § 1.821(g).

Dated: 24 October 2001

By:



Colleen J. McKiernan

Agent for Applicant

Reg. No. 48,570



Rec'd PCT/PTO 02 JAN 2002

PTO/SB92 (08-00)

Approved for use through 10/31/2002. OMB 0651-0031

U. S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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Certificate of Mailing under 37 CFR 1.8

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to:

Assistant Commissioner for Patents
Washington, D.C. 20231

on Oct. 24, 2001
Date

Melissa J. Leffler
Signature

Melissa J. Leffler
Typed or printed name of person of signing Certificate

Note: Each paper must have its own certificate of mailing, or this certificate must identify each submitted paper.

Burden Hour Statement: This form is estimated to take 0.03 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U. S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.